

## **REMARKS**

Claims 1 - 21 are pending with claims 9 - 21 added by this paper.

### **Claim Rejections Under 35 U.S.C §112, second paragraph and Specification Amendments**

Applicants have amended claims 1 and 2 to remove these rejections. Consequently, Applicants respectfully submit that these rejections should be withdrawn. In addition, support for the added language, "comprising a composition shown in a binary phase diagram for Cu-S" can be found in the specification at page 8, lines 7 - 8. Moreover, Applicants respectfully submit that a Cu-S phase diagram is well known to those of ordinary skill in the art. See, e.g., attached Binary Alloy Phase Diagrams, Second Edition, Volume 2, (1990).

Also, Applicants have made amendments to the specification to correct a translational error by replacing "type" with --system--.

### **Claim Rejections Under 35 U.S.C §103**

Claims 1 - 8 stand rejected as allegedly being unpatentable over JP 406057383 (JP '383). Applicants respectfully traverse these rejections.

JP '383 fails to teach or suggest an Fe-Ni alloy material comprising 0.10 - 0.45% of Cu. Rather, JP '383 discloses 0.05% or less of Cu. Consequently, there is no overlap.

In addition, JP '383 fails to provide sufficient motivation to modify its composition to provide an Fe-Ni alloy material of the present invention. Particularly, the present invention provides an improvement in the etching properties of a shadow mask by providing an amount of Cu of 0.10% or more. In marked contrast, JP '383 relates to improving the magnetic permeability and to reduce color slippage by regulating the integrating degree and the hardness of the crystalline planes on the surface of an alloy sheet after being subjected to a blackening treatment. Thus, these concepts are unrelated, and one of skill in the art would not be motivated to increase the amounts of Cu above 0.05% in JP '383 to obtain an Fe-Ni alloy material according to the present

invention, which uses such increased amounts for different purposes. Consequently, Applicants respectfully submit that these rejections should be withdrawn. Claims 1, 3, 5 and 7 stand rejected as allegedly being unpatentable over JP 2001-335894 (JP '894) alone or in view of JP '383. Applicants respectfully traverse these rejections.

The citation of JP '894 fails to cure the deficiencies in JP '383. Particularly, JP discloses an alloy stock also having no more than 0.05% of copper. Consequently, the disclosure in JP '894 does not overlap with the claimed invention.

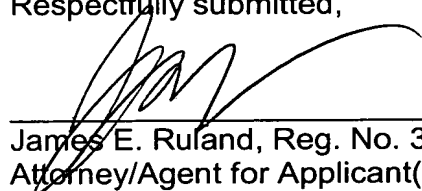
Moreover, there is no teaching or suggestion to modify its teaching to render the claimed invention unpatentable. As discussed above, JP '383 does not provide motivation for making the modification for rendering the claimed invention unpatentable.

In addition, there is no teaching or suggestion within JP '894 to modify its teachings because JP '894 only includes MnS. It fails to teach or suggest the inclusion of precipitates comprising a composition shown a binary phase diagram for Cu-S by adding quantities of Cu not less than 0.10%. Consequently, Applicants respectfully submit that these rejections be withdrawn.

In view of the above remarks, favorable reconsideration is courteously requested. If there are any remaining issues which can be expedited by a telephone conference, the Examiner is courteously invited to telephone counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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James E. Ruland, Reg. No. 37,432  
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.  
Arlington Courthouse Plaza 1, Suite 1400  
2200 Clarendon Boulevard  
Arlington, Virginia 22201  
Telephone: (703) 243-6333  
Facsimile: (703) 243-6410

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